

Administration Officials Label Career Civil Servant as a 'Bush Holdover' in Justifying Dismissal of Economic and Science Based Concerns about EPA Endangerment Finding

WASHINGTON. D.C. – House Committee on Oversight and Government Reform Ranking Member Darrell Issa (R-CA) today sent a letter to President Barack Obama asking why his Administration, following promises of bipartisanship and unprecedented transparency, has ignored without serious explanation “the economic concerns of both Members of Congress and career professionals in a rush to advance an ideological agenda” on climate change.

Issa's letter follows disturbing comments in the media from anonymous Administration officials disparaging the advice from a former aide to a Congressional Democrat and Clinton Administration Small Business Administration era hire as “a Bush holdover.” Shawne McGibbon is now Acting-Chief Counsel of the U.S. Small Business Administration, Office of Advocacy keeping the office running until a Chief Counsel for Advocacy is confirmed by the Senate. She formerly served as an aide to former Congressman Albert Wynn (D-MD).

A memo prepared under McGibbon's direction says the EPA endangerment hearing, "is likely to have serious economic consequences for regulated entities throughout the U.S. economy, including small businesses and small communities."

"There are hundreds of civil servants serving in a similar capacity throughout the Federal Government, who could also be characterized as 'Bush holdovers,'" wrote Issa. "I sincerely hope that their professional advice and decisions will not be discounted merely because they also worked for the Federal Government under President George W. Bush."

The text of Rep. Issa's letter to President Obama falls below:

Dear Mr. President,

I am writing you out of grave concern over the lack of transparency and accountability that the Environmental Protection Agency (EPA) has exhibited in its race to propose an affirmative endangerment finding for carbon dioxide (CO₂) and other greenhouse gases (GHG) under Section 202 of the Clean Air Act (CAA). [\[1\]](#) I have articulated my concerns in two separate letters, but have so far received no response. The silence is deafening for an Administration that promised a new level of transparency and openness in agency decision making, and for an Administrator who pledged the agency would conduct its business “in a fishbowl.”

[\[2\]](#)

As described in my letter of March 12, 2009 to EPA Administrator Lisa Jackson, and my March 24, 2009 letter to Carol Browner, Assistant to the President for Energy and Climate Change, a determination that CO₂ endangers public health and welfare will have an immediate and negative impact on many sectors of the economy that are already struggling in these challenging economic times.

[\[3\]](#)

It now appears that EPA has not only ignored Congressional warnings about the dangers of moving forward with an endangerment determination, but has also ignored similar counsel from the Office of Management and Budget (OMB) and other Federal Agencies. According to a recent news article, EPA was warned in an internal memorandum that “Making a decision to regulate CO₂ under the CAA for the first time is likely to have serious economic consequences for regulated entities throughout the U.S. economy, including small businesses and small communities.” [\[4\]](#) EPA was also warned that such a finding would “make it more difficult to comply with the National Environmental Policy Act (NEPA) and other environmental planning statutes.” [\[5\]](#)

However, in an apparent attempt to shield the internal investigation, an unnamed Administration official dismissed the warning that an independent finding would "put small business" business in a "bad light."

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